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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 21st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 24 March 1997, at 3 p.m.

Chairman: Mr. SOMOL (Czech Republic)

CONTENTS

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS (continued)

RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (continued)

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (continued)

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The meeting was called to order at 3.10 p.m.

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS (agenda item 11) (continued) (E/CN.4/1997/65)

RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (agenda item 17) (continued) (E/CN.4/1997/82 and 83; E/CN.4/Sub.2/1996/2 and 28; A/51/536)

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (agenda item 19) (continued) (E/CN.4/1997/91 and Add.1; E/CN.4/1997/NGO/19; A/51/542/Add.1 and Add.2)

1. Mr. TARAN (Commission of the Churches on International Affairs of the World Council of Churches) said that the World Council was concerned that violence against migrants had reached the proportions of a global epidemic and that the expression of xenophobic and racist sentiments against migrants and other foreigners, making them scapegoats for rising unemployment, crime and a host of other social ills, had entered mainstream political and public discourse. Of particular concern was the widespread official adoption of the term "illegal migrant", which criminalized and dehumanized human beings. The term should be avoided by both States and other bodies. Christians - and people of all religions - should protest, when xenophobia became the accepted basis for public legislation.

2. Officials of some Governments excused their inaction by pointing to the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which had so far received 10 of the 20 ratifications it needed to enter into force. No concerted international effort had been made to publicize the Convention and even its text had until recently been hard to obtain. His organization thus welcomed the recent accessions to the Convention of Bosnia and Herzegovina and Sri Lanka and the fact that legislation to ratify it had been introduced in several Latin American countries, largely due to the efforts of the International Migrants Rights Watch Committee and other non-governmental organizations (NGOs). A concerted international campaign to bring the Convention into force should be mounted, beginning with a wide distribution of the Centre for Human Rights Fact Sheet on the Rights of Migrant Workers.

3. Mr. WONG (International Association for the Defence of Religious Liberty) said that Christian minorities were being severely persecuted in various parts of the world. The Government of Iran continued to murder Christian leaders, their latest victim being an Assemblies of God pastor, Mohammed Bagher Yusefi, who was found hanged on 28 September 1996. He had converted to Christianity from Islam and was not the first such convert to be murdered by the Iranian authorities. Moreover, in December 1989, the Rev. Hossein Soodmand had been executed for converting from Islam to Christianity.

4. In Sudan, numerous churches had been destroyed or desecrated by Government agents, especially in the Nuba Mountains. Food aid for displaced people was often offered only to those who bore allegiance to Islam. Many

Christian children had been forced to join the Government militia or to enter Islamic centres in the north of the country, with pressure upon them to convert to Islam. Christian women and children from southern Sudan and the Nuba areas had been enslaved and some had even been sold abroad as slaves. Since the Sudanese Government's brand of extremism was repulsive to many Muslims, moderate Muslims, too, had been persecuted and their mosques destroyed.

5. In China, since January 1996, churches had been required to register with the official religious organizations, which brought them under Government control. That had resulted in the forced closure of many unregistered churches throughout China, 300 of them in Shanghai alone. At least three Christians had been beaten to death by the police in 1996.

6. His Association urged the Commission to put pressure on the Governments of Iran, Sudan and China to end their persecution of Christians and to send a fact-finding team to Iran to conduct an independent investigation into the murders of church leaders there.

7. Ms. ALI (Afro-Asian People's Solidarity Organization) said that minorities desired above all to preserve their heritage. There was, however, a growing tendency, even on the part of ostensibly democratic States, to try to assimilate minorities. Some States in South Asia used religion as the main instrument of such assimilation, creating an environment in which the minorities felt threatened and gradually changed their behaviour to merge with the majority.

8. That process had already occurred in Pakistan, affecting the Mohajirs, Sindhis, Christians, Ahmadiyahs and Shias, and was spreading to Bangladesh and to India. In Jammu and Kashmir, sectarian groups sought to impose, often violently, a fundamentalist, intolerant ideology on a region known for its harmonious blend of different religious and ethnic communities.

9. Though pluralism was accepted in theory, many States, either deliberately created religious or ethnic xenophobia or tacitly condoned it and needed to be taught that the interests of their own people were better served by creating an environment in which minorities felt protected. That was no easy task, but it would be possible if the international community censured any country where such developments took place.

10. Mr. CHAKMA (Asian Cultural Forum on Development) said that he was concerned to note from the report of the Special Rapporteur on the implementation of the Declaration (E/CN.4/1997/91, para. 10) that the persistent religious intolerance of Governments in the Asia-Pacific region was sometimes directed against persons who testified before United Nations human rights bodies. The Commission must ensure the safety of such persons.

11. In India, discrimination was attributable not to a lack of legal mechanisms, but to the failure to implement them. The Indian Government should take steps to counter religious extremism, taking care that any new legislation did not provide over-zealous law enforcement officials with excuses to persecute religious minorities.

12. Other Asian Governments legally sanctioned the persecution of religious minorities. Bangladesh discriminated against Hindus, and forced the indigenous Jumma peoples to convert to Islam. It also tacitly supported the persecution of those who criticized such discrimination. In Pakistan, State agencies participated actively in the persecution of minorities such as Ahamadis and Christians.

13. Some Member States of the United Nations systematically endeavoured to undermine the promotion and protection of human rights by reducing the resources available to the special rapporteurs. The draft resolution on rationalizing the work of the special procedures system, sponsored by some of the Commission's members from the Asia-Pacific region, was a clear attempt to water down the special procedures of the Commission and reflected the view of some States that attempts to strengthen democratic institutions, the human rights culture and the rule of law threatened their authority. Possibly, of course, the clearly unacceptable information-censorship provisions in the draft resolution constituted a ploy to divert the discussion from substantive issues.

14. Mr. WARIKOO (Himalayan Research and Cultural Foundation) said that the principle of freedom of religion should not be distorted for chauvinistic and political ends. Unfortunately, extremism in some minority communities in South Asia had led to terrorism and ethnic or religious cleansing. The State of Jammu and Kashmir consisted of four geophysical areas, only one of which - the Kashmir Valley - was predominantly Muslim. It had been known through its history for its harmonious blend of many cultures, based on the principles of social harmony and peaceful coexistence, but that had been obliterated by terrorists and mercenaries under the guise of religion.

15. Many groups had suffered at their hands, such as the Kashmiri Pandits, whose ancient civilization was being systematically destroyed, Shia and Gujjar Muslims, the Buddhists of Ladakh and, of course, the Hindus. Even known pro-Pakistan organizations had condemned the nefarious role of those killing religious and political leaders, intellectuals and others in the name of Islam and he urged the Commission to take a resolute stand against the perpetrators of such terrorist crimes.

16. Mr. BIGGAR (Ireland) said that freedom of thought and belief was central to human dignity, as underlined by the fact that, under article 4 of the International Covenant on Civil and Political Rights, it was one of the rights from which no derogation could be made. Yet it continued to be violated in many parts of the world. The extent of the violations varied considerably. Sometimes members of a particular religion were subjected to greater discrimination than others, like the Baha'is in Iran, where other religious minorities suffered but somewhat less.

17. Religious considerations played a growing part in the conflict in the southern part of Sudan, although restrictions on religious freedom, and discrimination on religious grounds, occurred in other parts of the country, too. In Saudi Arabia, religious minorities were prohibited from manifesting their beliefs in public. The situation of religious believers in China also gave cause for concern. In particular, there were clear attempts to undermine the ethnic, cultural and religious identity of Tibet.

18. In many cases, religious considerations served as a motive for discrimination against women, not always on the part of States alone. The capture by Taliban forces of large parts of Afghanistan had led to severe restrictions on women's ability to work and on their access to education and health care. In Algeria, violence by religious extremists was frequently directed at women and girls, who were murdered and mutilated.

19. His delegation supported the conclusions and recommendations contained in the Special Rapporteur's report (E/CN.4/1997/91) on the steps to be taken to promote and protect the scope of freedom of religion or belief, including the right to change religion or to adopt atheistic views. Restrictions on the right to manifest religion or belief were permissible only if they conformed strictly to the criteria set out in article 18, paragraph 3, of the International Covenant on Civil and Political Rights.

20. As the Special Rapporteur rightly said, those considerations applied also to newer religions and to sects; a meaningful distinction could not be made between a religion and a sect. At the same time, members of sects were no more entitled than any other individual to infringe public safety or order, or to violate the fundamental rights or freedoms of others.

21. His delegation would introduce a draft resolution on the elimination of all forms of intolerance based on religion or belief and invited views from all interested delegations with the aim of ensuring that the resolution was adopted by consensus.

22. Mr. ZACKHEOS (Observer for Cyprus) said that tolerance was an absolute necessity, since interaction among nations and persons called for mutual respect among cultures. Educational institutions and the mass media had an important role to play in fostering such attitudes.

23. In a letter to the Special Rapporteur, he had clarified his Government's position on the treatment of Jehovah's Witnesses in Cyprus, which was mentioned in the report (E/CN.4/1997/91, para. 21). Jehovah's Witnesses had the right to practise their faith. Cyprus recognized conscientious objection and objectors could choose between serving outside or within a military camp. Following observations by interested NGOs and the Special Rapporteur, the Government was amending its legislation to reduce the period of service of conscientious objectors, despite the country's urgent defence needs.

24. Turkey was continuing its systematic destruction, profanation and even sale of places of worship in the occupied part of Cyprus, attacking the cultural and religious heritage not only of the Greek Orthodox Cypriots but also that of the Armenians and Catholic Maronites. The problem of Cyprus was not as the international community well understood, an intercommunal religious dispute, but a question of foreign occupation. Christians and Muslims had cohabited peacefully and cooperated closely in Cyprus for centuries, with churches and mosques standing side by side in most villages. His Government took all necessary measures for the preservation of the mosques in the free areas of the island, since it considered them part of the cultural heritage of Cyprus, and continued to encourage rapprochement and contacts among members of the two communities.

25. As stated in the Secretary-General's report on the question of human rights in Cyprus (E/CN.4/1997/48, para. 15), access to sites of religious significance remained restricted, in violation of the recommendation of the United Nations Force in Cyprus (UNFICYP). Moreover, despite their own lack of resources, the Turks did not permit Greek Cypriots to make funds available for necessary repairs to cultural monuments. The Turks had also refused to allow a retired priest to be replaced. He urged the Commission and other human rights bodies to isolate people or countries that did not respect religion.

26. Monsignor BERTELLO (Observer for the Holy See) said that the statement by Pope John Paul II, in his 1991 message for the World Day of Peace, that the denial of complete freedom of conscience could cause tension or even open conflict was still relevant and such freedom was still under threat. For example, in one African capital, the authorities had demolished over 25 Catholic schools, which had been open to students of all races and religions.

27. Tolerance was not passive; it required social solidarity and a willingness to re-examine one's spiritual heritage. Interfaith dialogue was important for building a harmonious and peaceful society. If everyone acted in accordance with the best of his or her religious tradition, that would be a living contribution to the building of a new society.

28. With respect to the Special Rapporteur's discussion of religions and sects, the Holy See considered that the two were qualitatively different in terms of their nature, goals and methods. A more thorough multidisciplinary analysis of the issue was needed. Even when a sect did not engage in antisocial excesses, its teaching could be detrimental to the individual if it sought to override reason and judgement and failed to promote social cohesiveness.

29. Mr. HORVATH (Observer for Slovakia) said that legal regulations and procedures for the protection of minorities could not be effective unless countries displayed a positive attitude towards their implementation. Those systems had been established as a means of controlling violence and power, and represented a set of social values that defined and limited power structures.

30. Legal standards must be supplemented by worldwide education through the dissemination of human rights instruments and information. A universal approach should be taken to minority rights, encompassing respect for cultural diversity and regional interests, as well as the concepts of individual, group, State and international responsibility for protecting those rights. The future of civilization depended on the capacity to guarantee fundamental rights and freedoms to every human being.

31. Mr. CUNNIAH (International Confederation of Free Trade Unions) said that, while international population movements had increased in recent years, severe unemployment and growing social tension in industrialized countries had prompted some Governments to restrict migration. Ironically, the result had been an increase in undocumented migrants. Such restrictions had been imposed to meet the demands of the local unemployed and of racist and nationalist political parties rather than to break the vicious circle of police repression of migration and ultra-liberal free-market economic policies.

32. Migrants had become scapegoats for the failure of government economic policies. Since 1997 was the European Year against Racism, European Governments should take stronger measures to fight racism and xenophobia. Instead, they were deporting an increasing number of migrants and even hiring private security firms for that purpose. Moreover, a number of countries had adopted temporary migration policies, which did not represent a permanent solution.

33. The Secretary-General's one-page report on improving the situation of migrant workers revealed the international community's lack of interest in the issue. However, it was encouraging that a meeting of high-level government experts had been held in 1996 to promote the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and he congratulated the 12 countries that had signed, ratified or acceded to the instrument. All the Member States of the United Nations should do likewise.

34. Mr. van WALT van PRAAG (Pax Christi International) said that finding constructive ways to handle tensions between States and minorities and preventing the outbreak of conflict should be a principal objective of the Centre for Human Rights. The minority rights recognized in article 27 of the International Covenant on Civil and Political Rights were minimum standards, not goals to be attained in an ideal situation.

35. He welcomed the improvement in the situation of the Hungarian minority in Romania. However, he was concerned about the situation of Sandzak Bosniacs and of the Bulgarian minority in the Federal Republic of Yugoslavia. The current turmoil in Albania posed a threat to the Greek minority in that country. Owing to the devastating results of the war waged by the Russian Federal Government against the people of Chechnya, persons from the northern Caucasus republics were experiencing increased discrimination, while Circassians and Ingush were anxious to return to their homelands. In Iraq, Assyrian and Turkoman organizations and leaders had been victimized. Lastly, the Commission should pay special attention to the critical situation of ethnic minorities in Myanmar.

36. The report of the Special Rapporteur (E/CN.4/1997/91) confirmed that religious intolerance was practised less often by atheistic political systems than by systems that recognized a dominant religion. Such systems often distorted the basic tenets of the religion they claimed to uphold. Afghanistan was a case in point; there, the Taliban had received support from a great Power whose opposition to Islam had been overcome by the political, economic and strategic interests at stake.

37. Mr. OKHTOV (Society for Threatened Peoples) said that much of what had been said at the current session applied to the Cherkes or Adygei people of the Caucasus, although they had hardly been mentioned. In 1864, many Cherkes had been killed for ethnic or religious reasons and over 90 per cent of the survivors had been forcibly deported to other parts of the Ottoman Empire, the country of Circassia being wiped off the map. Some 3 million Cherkes currently lived in Turkey, Syria and Jordan, some of whom wished to return to their homeland in the north-west Caucasus.

38. Cherkes also lived in various parts of the Russian Federation, often without access to any television, radio or literature in their own language. The Shapsugs - a branch of the Cherkes people - had been reduced in numbers to 10,000 and were in danger of extinction. Settlements of Cherkes in various parts of the Krasnodar and Stavropol Territories had no facilities for education in their own language or instruction in their history and traditions.

39. The Russian Federal Government had thus violated articles 4 and 5 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and article 27 of the International Covenant on Civil and Political Rights. It should assist the International Cherkes Association, which worked for the interests of that minority, and permit the descendants of the deported Cherkes to return to their historic homeland giving them financial help to do so.

40. Mr. STROHAL (Austria) said that the protection of minority rights contributed to the social and cultural enrichment of countries and to international stability. The Sub-Commission's inter-sessional Working Group was a principal forum for discussing minority-related issues and facilitating dialogue between minorities and Governments. Its focus on practical measures was particularly valuable.

41. Austria comprehensively protected and actively supported national minorities through a series of legal safeguards for both ethnic groups and individual members of those groups. Federal, provincial and local assistance programmes had been established, and Advisory Councils had been set up for the Slovene, Croat, Hungarian, Czech, Slovak, and Roma and Sinti minorities to promote their cultural, social and economic interests.

42. By collecting and evaluating information on national situations, the Working Group could provide the international community with a set of good practices that could be applied elsewhere. A focus on specific themes, such as intercultural education, language, enjoyment of culture and the role of the media, could enhance the Working Group's effectiveness. His delegation would thus support the extension of the Working Group's mandate.

43. The High Commissioner for Human Rights had also a crucial role to play, especially in the provision of advisory services for capacity-building and practical measures, which were of the utmost importance for the promotion of minority rights. The High Commissioner should continue to hold United Nations inter-agency consultations on minorities, which should take into account the work of the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE).

44. His Government was particularly concerned about the plight of the Albanian-speaking population of Kosovo and regretted that the memorandum of understanding on the educational system had not brought about any changes. As in previous years, his delegation would submit a draft resolution to the Commission on the subject.

45. Ms. PALALA (Philippines) said that migrant workers were treated with ingratitude because their hosts believed that merely allowing them to work was

already a great favour. In her country, however, such workers were viewed as economic heroes, whose remittances had kept the economy afloat at times of crisis and whose example was an inspiration to all Filipinos.

46. Her Government had adopted all the measures within its power to protect its migrant workers and to ease the suffering and problems of those workers and their families, but effective measures required the cooperation of both the sending and the receiving Governments. Her Government had concluded bilateral labour protection agreements with several conscientious host countries, but other Governments were wary of setting precedents and asserted that they had adequate laws to protect migrant workers. Unfortunately, the continuing reports of abuse and discrimination, particularly against vulnerable groups such as women, belied that argument.

47. She urged the international community to give its full support to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which only a disappointingly small number of States had so far ratified. Workers who crossed national boundaries were in no way less deserving of respect and dignity than other workers; on the contrary, their vulnerability entitled them to understanding and compassion.

48. Mr. PARREIRA (Angola) said that existing human rights instruments must be implemented more effectively to protect migrant workers and their families, who were particularly vulnerable in times of increasing racism, xenophobia and intolerance. He was particularly concerned at the persistence of neo-Nazi political propaganda, which was used to justify increasingly violent attacks on immigrants.

49. He called upon the Secretary-General to establish a focal point on the question of racism, within the Centre for Human Rights, to coordinate the implementation of the largely neglected Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. The Secretary-General should also look into the possibility of holding a world conference to combat racism and other related forms of intolerance. His Government was prepared to take an active part in every stage of the preparations for such a conference.

50. Mr. TODOROV (Observer for the Former Yugoslav Republic of Macedonia) said that the protection and promotion of the rights of minorities constituted one of his Government's fundamental strategic objectives; they were crucial to internal stability and the stability of the Balkans as a whole. The existence of national minorities not only enriched a society, but was also a basis for good relations with its neighbours. His Government was thus consolidating a tradition of respect and tolerance for minorities by bringing its legislation into line with international standards. Macedonia had ratified the European Convention on Human Rights and the Framework Convention for the Protection of National Minorities of the Council of Europe.

51. His Government was implementing a policy of affirmative action to increase educational opportunities for minorities, by introducing new courses in minority languages and quotas for university entrance, and to increase their participation in the State administration. The results had been

significant and sometimes spectacular: the number of Albanian secondary-school pupils had tripled in a couple of years. Such action was part of an ongoing process aimed at achieving a high level of respect for individual rights and the full integration of minorities into society.

52. The Government's measures had been criticized by some as unconstitutional and by others as inadequate, but the tragic consequences of such extreme views, based on exclusivity and superiority rather than tolerance and respect for diversity, were clear for all to see in the Balkans. His Government, with the strong support of the international community, had opted for integration as a means of ensuring social stability.

53. Mr. KIRKYACHARIAN (Movement against Racism and for Friendship among Peoples) said the situation of migrant workers was deteriorating, as more and more people fled poverty or repression to seek work in the developed countries which were adopting dissuasive, not to say repressive, measures to deter them, and where xenophobia was rife. Those efforts to stem migration were unlikely to succeed as long as the gap between rich and poor was so great, tempting the poorest to take any risk in search of a better life.

54. Despite their assertions that clamping down on the informal economy helped legal immigrants, Governments showed no signs of relaxing the rules on naturalization or immigrants' voting rights. The poor response to calls on the industrialized countries to sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was deplorable. There was a link between the growth of racism and the living conditions of migrants since xenophobia was stimulated by new legislation that treated immigrants as potential criminals.

55. Mr. ULLMAN (Coordinating Board of Jewish Organizations), speaking also on behalf of the World Union for Progressive Judaism, said that compensation should be payable to members of persecuted minorities who lost their property and possessions. An integrated programme of recovery, restitution and compensation was needed, and could be taken into account by international tribunals dealing with crimes against humanity committed against minorities. Switzerland and France were already developing such a programme.

56. The alarming rise of the extreme right in certain countries was having a major impact on the lives of minorities, including migrant workers. It was unconscionable that, for example, the National Front in France should be receiving public finance to propagate its xenophobic and racist ideas and he suggested that a commitment by political parties to respect international human rights instruments should be a condition for receiving public money.

57. He hoped that there would be a practical follow-up to the report by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1997/71).

58. Ms. GIRMA (African Association of Education for Development) said that migrant workers should be allowed to vote in local elections, so that politicians would be less tempted to allow facilities in areas with high concentrations of immigrants to become rundown, thereby creating breeding grounds for hatred and violence.

59. She drew attention to the problems facing the Falashas (Jews of Ethiopian origin) in Israel. While she welcomed the establishment of a Commission of Inquiry into the question of blood donations by Falashas (E/51/301, para. 34), the accelerated rate of the integration process and the separation of children from parents were sources of great stress for the people concerned.

60. In Ethiopia, the Government was attempting to control both the Ethiopian Islamic Council and the Holy Synod of the Ethiopian Orthodox Church by imposing candidates for high office on the basis of ethnic origin, which had led to conflict and even killings in mosques and churches. She urged the Commission to send the Special Rapporteur to investigate that deteriorating situation.

61. Mr. ALPTEKIN (Transnational Radical Party) said some Governments claimed that their treatment of minority peoples was an "internal affair", and thus, for example, the full story of the uprising of Uigurs in Eastern Turkestan, called Xinjiang by the Chinese, had not been told. Almost 1,000 people had been killed when widespread uprisings had been crushed in 1996. China systematically repressed the Uigurs and their Muslim religion, while settling millions of Chinese in East Turkestan, thus reducing the native peoples to the status of an impoverished minority in their own land.

62. Deep frustration had led to further fierce anti-Chinese demonstrations at the beginning of 1997; in the clashes that followed, 400 Uigurs had been killed, including 146 frozen to death when Chinese troops used water-cannon in below-zero temperatures. An eight-year-old girl and a pregnant woman had been shot dead.

63. Those examples conveyed the true picture of the suffering of his people, which China sought to distort by attempting to portray Uigurs as violent Islamic fundamentalists. Like other oppressed peoples, the Uigurs looked to the Commission on Human Rights to bring about peaceful change.

64. Mr. LEBLANC (Franciscans International) said that, in February 1997, thousands of militant Muslims had attacked two Christian villages in Pakistan; hundreds of houses and several churches had been destroyed and some Christians had been forced to recite the Islamic creed, those who refused being severely beaten. His organization supported the demand of the Catholic Church authorities in Pakistan for a prompt investigation of the events and for the publication of its results.

65. Those responsible for human rights violations in the two villages should be brought to justice. Compensation should be paid to the victims of the disturbances. The Government should rebuild and restore all the damaged churches, schools, hostels and dispensaries and provide medical treatment and facilities to all the injured.

66. His organization called upon the Government of Pakistan to abolish its discriminatory laws, especially those on blasphemy, as well as its system of separate electorates, and to adopt legislation prohibiting religious discrimination.

67. Mr. AHMAD (World Muslim Congress) said that the Special Rapporteur's report (E/CN.4/1997/91) appeared to be based on the view that religion was a strictly private affair and that an individual's religious convictions and acts of worship should remain isolated from his or her other activities. That view did indeed prevail in many parts of the world, but there were also countries with a State religion, such as Islam, where religion had a broader role.

68. Those countries' systems of belief and of jurisprudence, based on their revealed holy scriptures, were no less compatible with the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief than those of countries which adopted the other view.

69. Turning to the more specific issue of the freedom to change one's religion, he said that the essential element in that respect was freedom of conscience. Aggressive proselytizing, often accompanied by obvious disparities between the material and propaganda resources of the two religions concerned, was a source of friction and should be eschewed. Lastly, the indication of an individual's religion on his or her identity card was not in itself discriminatory. Religion was a genuine element of personal identity and no one should feel obliged to hide it out of fear.

70. The only solution to the problem lay in concerted efforts to eliminate all forms of prejudice and to create a society in which a person's religious affiliation did not evoke hostility.

71. Mr. KELLMAN (El Salvador) said that his delegation supported the Mexican proposal that an intergovernmental group of experts be established to work out minimum standards for the protection of migrants and referred, in that connection, to the two Central-American regional conferences on migration in 1996 and 1997. Reiterating his Government's commitment to the promotion and protection of all human rights and fundamental freedoms, he emphasized that migrant workers and their families were human beings before all else and that their enjoyment of human rights could not be made subject to any condition, including that of their migrant status.

72. Ms. ARRIAGA (United States of America) said that the inherent right of every individual to practise and to change his or her religion and to participate in public or private worship, enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief and many regional human rights instruments, should be upheld by all Member States.

73. Freedom of religion, including the freedom to have no religion, was a bedrock issue for the people and Government of the United States. According to recent data, there were 28 separate religious groups with more than a million adherents and 35 groups with between 100,000 and a million members in the United States. Virtually every religion in the world had a base in the country, so that, whenever a people anywhere was persecuted for its beliefs, her compatriots took it as an attack on their own beliefs.

74. Consequently, her delegation could not turn aside while the Sudanese Government failed to stop the persecution of Christians and traditional believers. It was bound to express concern over the hostility faced by Evangelical Protestants, Mormons and Jehovah's Witnesses in many countries in Latin America, Asia and the Commonwealth of Independent States.

75. While dismissing the idea of incompatibility between Islam and the Western world, her Government condemned the violence perpetrated by armed groups hiding behind the cloak of Islam in countries such as Algeria and was concerned at the increasing number of attacks on Copts in Egypt; the periodic violence between Muslims and Hindus in South Asia and Iran's continuing persecution of Baha'is and Christians. It also felt obliged to speak out against actions taken in the name of Islam by the Taliban in Afghanistan, especially the exclusion of women from employment and education.

76. Elsewhere, the Government of Viet Nam continued to restrict the activities of Buddhists, Catholics and Protestants, while Pakistan's blasphemy law affected Christians and Ahmaddiya Muslims alike. It was also a matter for deep concern that anti-Semitism continued in many forms and in many countries.

77. Her Government could not remain silent while the Government of China increased repression, imprisonment, and the abuse or torture of Tibetan monks and nuns accused of political activism. It could not look aside while that Government labelled religious leaders as criminals or "splittists" and held a child in custody simply because he had been designated as a religious leader. It was also obliged to speak out when the Chinese authorities harassed and persecuted Catholics, Protestants, Muslims and Buddhists who had not been registered.

78. In conclusion, the Commission could not wait until the fiftieth anniversary of the Universal Declaration to rededicate itself to the values upon which it was founded. Religious tolerance and freedom were fundamental to the human rights of every individual in every country of the world.

Statements in exercise of the right of reply

79. Mr. EGÜZ (Observer for Turkey) said that, as the Turkish Republic of Northern Cyprus was not represented in the Commission, his delegation felt compelled to reply to the references to Cyprus that had been made under agenda item 19. Accusations brought against Turkish Cypriots of destroying churches and other religious monuments in the north of Cyprus were totally unfounded and represented a deliberate policy of denigration designed to mislead world public opinion. Similar allegations had been refuted in reports published by the Committee on Culture and Education of the Council of Europe.

80. The object of that premeditated campaign was to conceal the devastation of the Islamic-Turkish heritage in Cyprus between 1963 and 1974, as well as attacks on mosques perpetrated by Greek Cypriots as recently as January 1995 and August 1996.

81. As for the problem of the illegal export of antiquities from Cyprus, the island's cultural heritage was being plundered by Greek Cypriot smugglers but not by smugglers alone; the almost arbitrary issuing of export licences by the

Greek Cypriot administration had reached scandalous proportions. However, instead of rectifying and improving their policy of preservation of the national heritage, the Greek Cypriots preferred to slander the Turkish Cypriot side in the international arena.

82. Mr. MANOUSSAKIS (Observer for Greece) said that the observer for The Former Yugoslav Republic of Macedonia had, in his statement, used an incorrect denomination of the State in question. According to Security Council resolution 817/1993, that State was to be provisionally referred to for all purposes within the United Nations as The Former Yugoslav Republic of Macedonia, pending settlement of the difference that had arisen over its name. That difference had not yet been settled.

83. Mr. LI Wufeng (China) said that he wished to clarify a point raised by the representative of the Transnational Radical Party. In February 1997, a handful of people had resorted to violence in a town of the autonomous region of Xinjiang, engaging in unprovoked criminal activities including the killing of innocent women and children. Those actions had been unanimously condemned and opposed by people of all nationalities living in the region, but a handful of separatists acting under the instigation of certain international forces for the purpose of splitting the Chinese State had used the incident to fabricate rumours in the hope of deceiving international public opinion.

84. Xinjiang had been an inseparable part of Chinese territory since time immemorial. Its various nationalities, including the Uigurs, were contributing towards the maintenance of national unity and were seeking their development, prosperity and progress together with the rest of the Chinese nation.

85. The rapid rise in economic and cultural development and in the people's living standards testified to the success of the Government's policy. All attempts to undermine the national unity and territorial integrity of China were doomed to failure.

86. Replying to the unfounded accusations made against his country by the United States delegation and certain NGOs in connection with agenda item 19, he said that his Government fully respected religious freedom. History had proved that petty trickery and rumour-mongering never led very far.

87. Mr. LAMDAN (Observer for Israel), replying to the statement made by the Minister of High Education in the Palestine Authority, said that his delegation commended that lady's deep commitment to the peace process in the Middle East and associated itself wholeheartedly with everything she had said about the need to keep the process alive until the achievement of a lasting peace. At the same time, it could not but feel that some of her comments simply did not square with reality. As leading members of the Commission and international human rights monitoring organizations had recognized, the Palestinian Authority's human rights record was abysmal.

88. The allegation that Israel had passed legislation authorizing torture was totally false. More important still, it was not Israeli extremism which was feeding extremists on the Palestinian side but the other way round.

The Palestinian Authority had to recognize that it could not conduct a peace dialogue with Israel while giving the green light to terrorist organizations to operate both in the territories and in Israel.

89. That was why his Government had demanded that the Palestinian Authority should fulfil to the letter its commitment to fight violence and terror as a precondition for the advancement of the peace process. It was up to Chairman Arafat and the Palestinian Authority to determine that issue.

90. Mr. GETAHUN (Ethiopia) said that the representative of the African Association of Education for Development had deliberately tried to misinform the Commission about an incident in which a religious extremist had been killed in the act of trying to assassinate the Patriarch of the Ethiopian Orthodox Church. With reference to the question of the Patriarch's election, he wished to reiterate that his country's Constitution provided for the separation of State and religion, which meant that religion did not interfere in the affairs of Government and vice versa. Accordingly, the Patriarch had been elected by the Holy Synod without any government interference whatsoever.

91. Lastly, reference had been made to a disturbance in Addis Ababa due to violence between groups claiming to be the legitimate representatives of the Islamic Affairs Supreme Council. That violence had aroused unanimous condemnation, and its instigators and their accomplices had since been tried before the Central High Court. The individuals who had tried to incite religious conflict in Gondar had also been brought to justice.

92. Mr. ZACKHEOS (Observer for Cyprus), replying to the observer for Turkey, said his delegation did not consider it important whether Turkey did or did not recognize its legitimacy; what was important was the recognition by the international community of the fact of Turkey's invasion and continuing occupation of a small, defenceless neighbouring country.

93. Greek Cypriots, Armenians and Maronites were not alone in suffering the tragic consequences of Turkey's act of aggression; Turkish Cypriots, too, were fleeing the country and seeking political asylum elsewhere. As for the destruction of the Muslim religious heritage in Cyprus, many Muslim places were being deliberately damaged in order to incite hatred between the two communities.

94. Turkey was one of the most serious human rights offenders both at home and abroad, and it should put its own house in order before accusing others.

The meeting rose at 6.10 p.m.